

Appl. No. : 10/661,853
Filed : September 12, 2003

REMARKS

This is in response to the Office Action mailed July 17, 2006, and the Advisory Action mailed November 13, 2006.

Claims 26-35 are pending in the application. Because the amendments presented in Applicant's Response dated October 19, 2006, were not entered, Applicant has re-presented those and additional amendments herein for entry before further examination.

Section 112 Rejection

Claims 27 and 32 were indicated as rejected under 35 U.S.C. § 112(2). In particular, the Examiner noted that Claims 27 and 32 included duplicate terminology "a base portion" to that in Claims 26 and 30. Applicant has again re-presented amended Claims 27 and 32 to clarify that the "base portion" referred to in those claims is that of the controller platform.

Section 102/103 Rejections

The Examiner rejected Claim 26 under 35 U.S.C. §102(b) as being anticipated by Weiss (USPN 6,623,006), rejected Claims 27-34 under 35 U.S.C. §103 as being unpatentable over Weiss, either alone or in combination with another reference (including LaFleur, U.S. Patent N. 6,289,326).

Applicant thanks the Examiner for the very detailed review of Applicant's arguments and the Examiner's thorough response thereto. Applicant asserts that new Claims 26-34 are allowable over the prior art, including Weiss, in light of the various amendments to the claims and/or the arguments detailed below.

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Independent Claim 26

Applicant still disagrees that a “door” and “bezel” are the same thing. Aside from the differences inherent from their well-known definitions, Applicant asserts that invention as claimed and that disclosed in Weiss bear out such differences or distinctions. In particular, even though a portion of Weiss’s door is located adjacent the display, the door is still a door and not a bezel, in that the door otherwise controls access to various interior spaces of Weiss’s cabinet. A bezel, however, is merely a frame, and it does not act as a door, i.e., it does not selectively open an access-way to an interior space.

Applicant has amended Claim 26 to further detail this difference. As amended, Claim 26 recites a gaming machine having an access opening leading to an interior thereof. When the display located at that access opening is in a first position, the display by itself prevents access through the opening to the interior. In particular, while the claimed bezel selectively controls movement of the display, that bezel does not control access through the opening to the interior (i.e. even when the bezel is in the “open” position, it does not allow access through the access opening to the interior, so long as the display is in the first position).

Relative to Weiss, Applicant notes that when Weiss’ door is open, various interior portions of the gaming machine are accessible. In other words, the display does not control access to the interior through the access opening (which comprises the entire open front of Weiss’s cabinet). At most, Weiss’s display simply extends over a portion of the open front of the cabinet. In contrast to the configuration claimed, it is Weiss’s door, and not display, which controls access to the remainder of the “access opening” (i.e. the open front of the cabinet).

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Applicant notes that this same point applies to independent Claim 30.

Claims 27-35

The fact that Weiss discloses such a different gaming machine configuration than is disclosed and claimed by Applicant is magnified when one attempts to “modify” Weiss, such as by combining the teaching of other references. Applicant maintains there is no motivation to modify Weiss as the Examiner suggests, there is no reasonable expectation of success, and the combination does not teach all of the claim limitations.

Claims 30 and 35: Applicant claims that the display has first and second pairs of pins on opposing sides of the display, and that the first pair of pins is above the second pair of pins. This configuration is illustrated in Figures 3 and 4 of the application. Weiss, on the other hand, discloses a first pair of pins which are on the top and bottom of the display (not on opposing sides), and a single third pin on the opposing side.

Applicant disagrees that it would be obvious to modify the configuration of Weiss to include two sets of pins. Weiss discloses a three pin configuration in which two pins at the top and bottom of the display are utilized to permit the display to be rotated about a vertical axis. The third pin is utilized as a “stop.” The “two pairs of pins” arrangement of the invention has a number of advantages over the Weiss configuration. As detailed in Claim 30, this configuration of pins permits: (1) when all of the pins engage their respective slots, the display to be fixed; (2) when the top pins are disengaged, the display to be rotated about the bottom pins; and (3) when all pins are disengaged, the display to be removed from the gaming machine.

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Thus, not only does Weiss not disclose the claimed mounting configuration, Weiss's configuration does not permit the wide range of functionality which is advantageously facilitated by Applicant's configuration. Given this fact, it is clear that the suggestion to so grossly modify Weiss to attempt to "recreate" the claimed configuration can only be achieved from hindsight and is not obvious.

Claims 27 and 31-32: The Examiner asserts that it would be obvious to modify Weiss so that components behind the display thereof could move in a fashion disclosed in LaFleur. Once again, Applicant asserts that this combination can only be achieved in hindsight, as neither LaFleur or Weiss even suggests the feature of making components movable so that they may be moved into alignment for more easy access through an opening.

First, Weiss's solution to providing access to the interior of the cabinet is to make the display movable. The Examiner asserts that it would be an obvious design choice to make access even easier. Applicant disagrees, however, because there is, in fact, clearly no such necessity relative to Weiss where, once the display is moved, the components thereof are clearly directly aligned with the "opening" (i.e. the open front of the cabinet).

Second, LaFleur does not disclose or suggest the concept of mounting components for movement to make them more accessible through an opening. LaFleur discloses a portable kiosk having shelves (80,90) which can be moved between horizontal "use" positions and vertical or folded "storage" positions. First, LaFleur clearly discloses only the concept of using foldable shelves for the purpose of collapsing the kiosk. Second, when the shelves are folded into their "storage" position,

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no components can be stored thereon. Thus, beyond the fact Weiss's configuration is incongruous to the proposed modification, LaFleur does not even suggest the claimed feature.

Applicant further notes that the claims recite forward rotation of the platform (i.e. away from the back of the cabinet) to provide component alignment. Even if LaFleur were combined with Weiss, the result would be Weiss having shelves behind the display which fold backwardly into storage positions. Such a configuration would still not meet the claimed configuration of providing a forwardly rotating platform for aligning components with an access opening.

Claims 29 and 34: The Examiner asserts that it would be obvious to modify Weiss so that the "bezel" rotates about a horizontal axis as disclosed by LaFleur. LaFleur discloses a kiosk having a top mount (50) which can rotate upwardly, thus permitting its removal and storage when the kiosk is collapsed. This combination would not comprise the invention as claimed wherein the bezel rotates forwardly (not upwardly) to a position in which a display opening therein is aligned over player buttons.

Claim 28: This claim, as amended, now recites a configuration in which the periphery of the display is located adjacent portions of a fixed front portion of a console. In relation to the differences between the claimed invention and Weiss as detailed above relative to Claim 26, Applicant again notes that this limitation further distinguishes over Weiss. In particular, Weiss's display is located in front of an open cabinet front and does not thus control access through the "opening" to the interior of the cabinet. Instead, the display is located only over a portion of the "opening", and the remainder of the "opening" is selectively covered by the door.

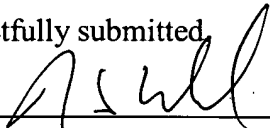
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Summary

Applicant asserts that Claims 26-35 are in a condition for allowance and respectfully request a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Dated: December 15, 2006 By: _____

Respectfully submitted,


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